**ANNEX 1: DECLARATION BY THE LEAD PARTNER**

|  |  |
| --- | --- |
| **Project title and acronym:** |  |
| **Name of the legal entity applying for funding as Lead Partner:** |  |
| **Country and region of Registration:** |  |

The Lead partner, represented by the undersigned, - *name of the legal representative* in the context of the present Application, hereby declares that:

**The legal status of our organisation falls within the following category[[1]](#footnote-1) (compulsory to choose one category a-c)[[2]](#footnote-2):**

**a. regional, local or national public authority** (E.g.: regional/county council, local council, municipality, ministry);

**b. bodies governed by public law** - means bodies that have all of the following characteristics:

(b.1) they are established for the specific purpose of meeting needs in the general interest, not having an industrial or commercial character;

(b.2) they have legal personality; and

(b.3) they are financed, for the most part, by the State, regional or local authorities, or by other bodies governed by public law; or are subject to management supervision by those authorities or bodies; or have an administrative, managerial or supervisory board, more than half of whose members are appointed by the State, regional or local authorities, or by other bodies governed by public law;

E.g.: state/regional owned institute, universities and educational institutions, tourism and regional development agencies, cultural and archaeological associations/institutions, nature parks and protected areas management bodies, research institutes, etc;

**c. non-profit organizations**;

E.g.: associations, unions, foundations, private universities if their legal status is of a non-profit organization, Local Action Groups in the fields of agriculture/rural development, fisheries and aquaculture, Euro regions, European Grouping of Territorial Cooperation[[3]](#footnote-3)

* All information up-loaded in the eMS corresponds to reality and are assumed by our organisation;
* Our organisation is acquainted with the Joint Operational Programme, has read the Guidelines for Grant Applicants and the standard Grant Contract and we understand and accept what our obligations under the standard Grant Contract will be if the grant is awarded;
* Our organisation is directly responsible for the preparation, management and implementation of the Project with our partners, and is not acting as an intermediary;
* Our organisation has sufficient human resources and administrative capacity to implement the project activities which were assumed by our organisation;
* Our organisation holds the professional experience, competence and qualifications in the field(s) we applied for;
* Our organisation shall ensure that the representatives in the project management team are available throughout the entire project execution period;
* Our organisation owns the sources of financing to cover all non-eligible expenditures corresponding to our activities incurred during project implementation;
* Our organisation has the capacity to ensure our own contribution to the eligible expenditure and ensure the temporary availability of funds necessary to run the project between the payments from the programme;

Please fill in the table below *with the following information for the last 3 years prior to the submission of application - amounts in EUR*

|  |  |
| --- | --- |
| Year | Turnover or equivalent |
| 2015 |  |
| 2014 |  |
| 2013 |  |

* Our organisation can hold a dedicated bank account for the project[[4]](#footnote-4) and it has the legal capacity to receive/transfer funds from/to foreign countries;
* We are aware of our obligation and agree to sign a Partnership Agreement with the Project Partners as a prior condition for the signature of the Grant Contract between the Lead Beneficiary and the MA; we will sign and comply with the obligations foreseen in the Partnership Agreement;
* Our organisation is not in any of the situations excluding us from participating in contracts as listed in Art.106 and 107 of the EU Regulation 966/2012 on the financial rules applicable to the general budget of the European Union and in Section 2.4.1 (5) of the Guidelines for Grant Applicants. Furthermore, it is recognised and accepted that if we participate in spite of being in any of these situations, we may be excluded from other procedures in accordance with Article 106 of the EU regulation 966/2012;
* Our organisation is in the position to deliver upon request, the supporting documents stipulated under Section 5 of the Guidelines for Grant Applicants;
* The project activities shall not harm on the environment. Our organisation is in the position to provide additional information or documents to support this statement, at any moment, if required;
* Our organisation has not benefited from financing support from public funds, before the deadline for submitting the applications under this call for proposals, for the same project in terms of objectives, activities and results, etc.;
* Our organisation is fully aware of the obligation to inform without delay the Managing Authority to which this proposal is submitted if the same proposal for funding made to other donors has been approved by them after the submission of this Application;
* Our organisation is aware that any personal data will be processed solely for the purposes of the performance, management and monitoring of the contract by the MA and may also be passed to the bodies charged with monitoring or inspection tasks according to Article 33 of the Commission Implementing Regulation (EU) No 897/2014 of 18 August 2014 laying down specific provisions for the implementation of cross-border cooperation programmes financed under Regulation (EU) No 232/2014 of the European Parliament and the Council establishing a European Neighbourhood Instrument (“Regulation no 897/2014”) or any bodies/entities authorised by the Managing Authority;
* Our organisation is aware that the proposals for substantial changes to the Project (for example activities, partners, etc.) should be agreed by the partners before being submitted to the Managing Authority. *Where no such agreement can be reached, the Lead Beneficiary must clearly indicate this when submitting changes for approval to the Managing Authority;*
* Our organisation will assume responsibility in the event of any irregularity or fraud in the expenditure which our organisation has declared as well as in case of any financial corrections due to poor or partial implementation of the project in accordance with the grant contract. We will repay the Managing Authority any amount of pre-financing or final amount of grant unduly paid;
* Our organisation will repay the Managing Authority any excess of pre-financing received, in case of underspending;
* The total budget of our organisation within the Project amounts to **EUR …,….** In the event of approval of the Project for which we are applying for assistance from the Joint Operational Programme “Black Sea Basin 2014-2020”, we hereby commit to participate in the Project and provide as Lead partner **EUR …,…** that will amount to  **…%…(**at least 8%) co-financing to the budget of our organisation as Lead Partner.

*Please choose[[5]](#footnote-5):*

a) Our organisation **is not** entitled to recover any paid VAT (Value Added Tax) by whatever means.

b) Our organisation **is** entitled to recover any paid VAT (Value Added Tax).

c) Our organisation **is** entitled to **partially** recover the paid VAT (Value Added Tax).

Signed on behalf of the Lead Partner (legal representative of the organization):

|  |  |
| --- | --- |
| **Complete name of the legal representative** |  |
| **Position within the organisation** |  |
| **Signature and stamp** |  |
| **Date** |  |

1. As described in the Guidelines for Grant Applicants, section 2.4.1. [↑](#footnote-ref-1)
2. Either keep the correct category and delete the others or mark the correct category. [↑](#footnote-ref-2)
3. According to EU regulation 897/2014, Art.45.3 - Regardless of its place of establishment, provided its geographic coverage is within the programme area [↑](#footnote-ref-3)
4. Bank accounts in EUR are strongly recommended, due to high currency exchange risks. [↑](#footnote-ref-4)
5. Only Lead Partners located in Romania, Bulgaria and Greece [↑](#footnote-ref-5)